RE-RECORD BOOK 7968 PAGE 772

FELIX Z. WILSON REGISTER
DAVIDSON COUNTY TN
OCT 20 2 15 PM '89
IDENTIF. REFERENCE
75586

TRUSTEE'S DEED

This instrument prepared by:
Adams, Taylor, Philbin, Pigue & Marchetti
One Union Street
Nashville, Tennessee 37215

9174 10/20/89 0101 03CHECK 6.00

Michael J. Philbin,
Successor Trustee

to

Map #150-2
Parcel #154.00
Field Book #2D-73980

City Federal Savings Bank
30 Warder Street
Springfield, Ohio 45501
SEND TAX BILLS HERE
NO MORTGAGEE

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WHEREAS, Donna L. Cox, unmarried, and Marion Thurman and wife, Eva M. Thurman, executed a deed of trust on the 26th day of February, 1986, which was recorded in Book 6794, Page 175, Register's Office, Davidson County, Tennessee, conveying to Stephen R. Josleyn, Trustee, the property hereinafter described to secure the payment of a promissory note referred to in said deed of trust; and

WHEREAS, Michael J. Philbin was appointed Successor-Trustee, said appointment being recorded in Book 7910, Page 103, Register's Office, Davidson County, Tennessee; and

WHEREAS, default occurred in the performance of the terms of said Promissory Note and/or the Deed of Trust securing the same and the noteholder in accordance with the provisions therein declared the entire indebtedness due and payable and requested the Trustee, the GRANTOR herein, advertise and sell the property; and

WHEREAS, the sale was advertised as required by law and in accordance with the terms of the Deed of Trust, by giving twenty-one (21) days notice by three (3) successive weekly publications appearing in the Nashville Record Newspaper, a newspaper published and circulated in Davidson County, Tennessee; and pursuant to the advertisement, the sale was held at the time and place advertised, to-wit: October 16, 1989 at 10:00 a.m. at the front door of the courthouse in Nashville, Davidson County, Tennessee, at public outcry to the highest and best bidder for cash free from the statutory right of redemption, homestead, dower and all other exemptions which were expressly waived in said Deed of Trust; and

WHEREAS the GRANTEE herein, City Federal Savings Bank, being the highest and best bidder at said sale with a bid of Forty Six Thousand Four Hundred Fifty Two and 00/100 Dollars ($46,452.00), was duly declared the purchaser.

NOW, THEREFORE, in consideration of the premises and the further consideration of Forty Six Thousand Four Hundred Fifty Two and 00/100 Dollars ($46,452.00), paid by City Federal Savings Bank, the receipt of which is hereby acknowledged, I, Michael J. Philbin, Successor-Trustee, have this day bargained and sold and by these presents do hereby transfer and convey unto City Federal Savings Bank, its successors and assigns, the following tract of land situated in Davidson County, Tennessee, and more particularly described as follows, to-wit:

> Land in Davidson County, Tennessee, being Lot No. 32-A of the Zone Lot Division of Lots 16, 17, 25 thru 33 and 37 thru 45 Harbor Gate, Section I Revised, of record in Plat Book 6250 Page 638, Register's Office for said County, to which reference is made for a more complete description.

THIS INSTRUMENT IS BEING RE-RECORDED TO CORRECT THE PAGE NUMBER IN THE FIRST PARAGRAPH.

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Being the same property conveyed to Donna L. Cox, unmarried and Marion Thurman by deed of record in Book 6794, page 172, and subsequently conveyed to Donna L. Cox, unmarried, by Quitclaim Deed of record in Book 7373, page 781, and subsequently conveyed to Thomas Capers and wife, Pamela Capers, in a deed of record in Book 7357, page 863, Register's Office for Davidson County, Tennessee.

This is improved property also known as 811 Lake Terrace Drive, Nashville, Tennessee 37217.

TO HAVE AND TO HOLD said real estate together with the appurtenances, estate, title and interest thereunto belonging to the said City Federal Savings Bank, its successors and assigns forever as fully and completely as the Successor-Trustee can or ought to convey under the power vested in the Trustee in said Deed of Trust and his appointment as Successor-Trustee; and said Successor-Trustee, the Grantor herein, does hereby transfer and assign to City Federal Savings Bank, its successors and assigns all the warranties and covenants made in said Deed of Trust.

This conveyance is made subject to all matters shown on any applicable recorded Plan; any unpaid taxes; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption of any governmental agency, state or federal; and any prior liens or encumbrances as well as any priority created by a fixture filing; and subject to any matter that an accurate survey of the premises might disclose.

RE-RECORD

IN WITNESS WHEREOF, the said Michael J. Philbin, Successor-Trustee, has hereunto set his hand this 16th day of October, 1989.

Michael J. Philbin, Successor-Trustee

68 03 REFERENCE ENTERED FOR RECORD OCT 2 32 PM '89 FELIX SCHILLACI REGISTER DAVIDSON COUNTY TN.

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Michael J. Philbin, Successor-Trustee, the bargainor, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this 16th day of October, 1989.

Janice M. Cheng
NOTARY PUBLIC

My Commission Expires: 5-20-92

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

The actual consideration of value, whichever is greater for this transfer is $46,452.00.

AFFIANT

WITNESS my hand and official seal at Nashville, Tennessee, this 16th day of October, 1989.

Janice M. Cheng
NOTARY PUBLIC

My Commission Expires: 5-20-92